

REMARKS/ARGUMENTS

Claims 1-34 are pending.

Claims 1-34 stand as rejected under 35 U.S.C. 112, second paragraph. In particular, the Examiner alleges that claim 1 “is not directed to performing a process” and does not “recite any positively recited steps.” Applicants respectfully disagree, and submit that the actions recited in claim 1, and other method claims, include positive actions to be performed. For example, the recitation of each of “defining”, “obtaining”, and “plotting” in claim 1 requires at least one positive action to be taken. The Examiner states that the preamble of claim 1 (“A method comprising”) is unclear and requests that the preambles of the claims be amended to “specify a method of performing or doing something”. The preambles of independent claims 1, 25 and 29 have been amended as suggested by the Examiner. Dependent claims 4 and 28 have been amended to be consistent with amended claims 1 and 25 respectively.

The Examiner also requests replacing “a measure” with a measured quantity or measured value in the claims. The claims have been amended to replace “a measure” with “a value of a measure.” It is noted that the term “measure” in the context of the claims is used in the sense of “an evaluation” or “a metric”. It is not necessary that the value of the measure must be “measured.” For example, the value can be calculated, as illustrated in the description.

In view of the above, withdrawal of the rejection under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claims 11 to 13 were rejected under 35 U.S.C. 102(b) as being anticipated by Ardekani et al. Claim 11 has been amended to incorporate features recited in claims 17 and 19. As the Examiner has not rejected claims 17 and 19 in view of Ardekani et al., it is believed that current claim 11 and all of its dependent claims, including claims 12 and 13, are allowable over Ardekani et al. Withdrawal of this rejection is thus respectfully requested.

No new matter has been added by these amendments.

In view of the foregoing, early favorable reconsideration of this application is earnestly solicited.

Respectfully submitted,

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